

ENTERED

April 17, 2023

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

UNITED STATES OF AMERICA

V.

SCOTT BREIMEISTER (02)

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§

CAUSE NO. 4:18-CR-368

ORDER

Defendant Breimeister's opposed motion to withdraw the order denying his Double Jeopardy motion and to conduct a hearing on the Double Jeopardy issue, and his unopposed motion for the Court to make findings of fact and conclusions of law on his motion to bar a retrial based on Double Jeopardy is **GRANTED**.

The Court **WITHDRAWS** its oral order of April 4, 2023, denying Breimeister's opposed motion to bar a retrial based on Double Jeopardy.

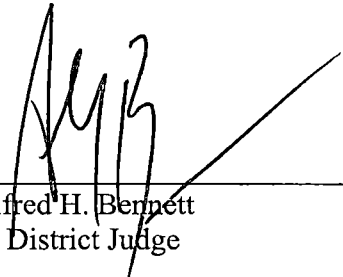
The Court **ORDERS** the Government to respond to Breimeister's opposed motion to bar a retrial based on Double Jeopardy by 4/28, 2023.

The Court **SETS** Breimeister's opposed motion to bar a retrial based on Double Jeopardy for a hearing on 5/4/23 2:30 pm, 2023.

~~The Court will make written findings of fact and conclusions of law on the Double Jeopardy motion at a future date.~~

~~The Court finds that Breimeister's opposed motion to bar a retrial based on Double Jeopardy is NOT FRIVOLOUS.~~

SIGNED ON APR 17 2023, 2023.



Honorable Alfred H. Bennett
United States District Judge